

DEFENSE NEWS

Fighting for Justice and Balance in Civil Courts • www.wdtl.org

Persuasion in the Courtroom: Six Social Psychological Principles for winning

By Jonathan M. Lytle, Ph.D.

Attorneys are the salespeople of the courtroom. Their job is to make the merchandise – the case – as appealing as possible. Yet, whereas a shoe salesperson usually must consider each customer individually, an attorney must get as many as 12 people to buy into their product. To accomplish this task, attorneys should turn to the psychology of persuasion to assist them in crafting compelling cases.

Dr. Robert Cialdini, a renowned social psychologist, has studied persuasion for nearly 30 years. Early in his career, he went “undercover” in various occupations (telemarketer, car dealer, etc.) to figure out how the best salespeople persuaded the public. He discovered that the art of persuasion can be reduced to six simple principles: reciprocity, commitment and consistency, social proof, authority, liking, and scarcity.

Reciprocity is our tendency to want to return favors. If a friend gets you a birthday gift, for example, you may feel obligated to remember their next birthday with a gift. This principle is often used by marketers in the form of “free” samples. Although grocers claim that free samples allow the consumer to try a new product, the true psychology of this marketing plan is that shoppers feel obligated to return the favor

given to them by the store. Businesses hope that customers walk away thinking “I got something for free; I should help them out too.”

So, how can attorneys use reciprocity in the courtroom? One easy modification is to frame their interactions with the jury in a way that suggests *they* are doing

“Reciprocity is our tendency to want to return favors. If a friend gets you a birthday gift, for example, you may feel obligated to remember their next birthday with a gift.”

the jurors a favor. A simple statement such as “I will be quick, because I know you all want to get back to your regular lives and families...” during closing arguments may go a long way toward compelling the jury to reciprocate the attorney’s kindness with a favorable verdict.

The second principle is *commitment and consistency*, which relies on the human desire to avoid cognitive dissonance. Our thoughts and actions need to align; when they do not, we feel uncomfortable and try to adjust either our thoughts or actions to make ourselves more consistent. This means that once a person takes action, it is unlikely that he or she will rescind. For example, once a car buyer signs an agreement, they are unlikely to call off the sale when the dealer tacks on additional charges for “rust proofing.” An extreme example of the power of commitment and consistency is illustrated by *coerced-internalized confessions*. This occurs when a suspect signs a (false) confession during interrogation and later actually begins to believe that they committed the crime – the modified belief creates consistency between their actions (signing the confession) and thoughts (“I am guilty”).

If an attorney is concerned that the jury will be biased against his or her case, it is effective to encourage the jurors to keep an open mind and withhold judgment until all the evidence has been presented. Reminding the jurors regularly of the oath they took practically guarantees a fair trial (“I promised to be fair, so my actions need to support that promise”).

DEFENSE NEWS

Editors

Aric Newlon
206.973.3751
PO Box 12645
Seattle, WA 98111
aricnewlon@gmail.com

Erin H. Hammond
253.237.0587
P.O. Box 23251
Federal Way, WA 98093
erin@chammondlaw.com

Editorial Board

William L. Cameron
Lee Smart, P.S., Inc.
206.262.8301
1800 One Convention Place
701 Pike Street
Seattle, WA 98101-3929
wlc@leesmart.com

Nathan L. Furman
Forsberg & Umlauf, P.S.
206.346.3951
Ste 1400, 901 Fifth Ave
Seattle, WA 98164
nlfurman@forsberg-umlauf.com

Karim A. Hamir
778.996.7508
2nd Flr, 1789 Lonsdale Ave
N. Vancouver, BC V7M2J6
karim.a.hamir@rbc.com

Erin H. Hammond
253.237.0587
P.O. Box 23251
Federal Way, WA 98093
erin@chammondlaw.com

Holly E. Hinterberger
Watt Tieder Hoffer & Fitzgerald
206.204.5800
Suite 2210, 1215 Fourth Ave.
Seattle, WA 98161
hhinterb@wthf.com

Carol Sue Janes
Bennett Bigelow Leedom, P.S.
206.622.5511
Suite 1900, 1700 Seventh Ave
Seattle, WA 98101
csjanes@bblaw.com

Laurie D. Kohli
Porter, Kohli & LeMaster, P.S.
206.682.0224
Suite 2200, 1601 Fifth Ave
Seattle, WA 98101-2622
lkohli@porterkohli.com

A. Grant Lingg
Forsberg & Umlauf, P.S.
206.689.8500
Suite 1400, 901 Fifth Ave
Seattle, WA 98164-1039
glingg@forsberg-umlauf.com

Bert W. Markovich
Schwabe Williamson & Wyatt, P.C.
206.622.1711
Suite 3010, 1420 5th Ave
Seattle, WA 98101-3944
bmarkovich@schwabe.com

Michelle Menely
Gordon Thomas Honeywell LLP
206.676.7532
Suite 2100, 600 University St
Seattle, WA 98101-1176
mmenely@gth-law.com

Katrina Elsa Mulligan
Stafford Frey Cooper PC
206.623.9900
Ste 3100, 601 Union St
Seattle, WA 98101-1374
kmulligan@staffordfrey.com

Aric Bradford Newlon
206.973.3751
PO Box 12645
Seattle, WA 98111
aricnewlon@gmail.com

Michael Kazuo Rhodes
Barrett & Worden, P.S.
206.436.2020
Ste 700, 2101 4th Ave
Seattle, WA 98121
mrhodes@barrett-warden.com

Aaron Paul Riensche
Ogden Murphy Wallace PLLC
206.447.7000
Ste 2100, 1601 5th Ave
Seattle, WA 98101-1686
ariensche@omwlaw.com

Melissa Kay Roeder
Forsberg & Umlauf
206.689.8500
Suite 1400, 901 5th Ave
Seattle, WA 98164-2050
mroeder@forsberg-umlauf.com

Michael H. Runyan
Lane Powell PC
206.223.7062
Suite 4100, 1420 Fifth Ave.
Seattle, WA 98101-2338
runyanm@lanepowell.com

Margaret Sundberg
206.595.1813
P.O. Box 99583
Seattle, WA 98139-0583
sundbergma@comcast.net

Lydia A. Zakhari
Carney Badley Spellman, P.S.
206.622.8020
Ste 3600, 701 Fifth Ave
Seattle, WA 98104-7011
zakhari@carneylaw.com

The Defense News is published bi-monthly by the Washington Defense Trial Lawyers, c/o WDTL, 800 5th Ave., Suite 4141, Seattle, WA 98104. All rights reserved. Reproduction of any material appearing herein without permission is prohibited. **SUBSCRIPTION:** Included in dues of all active members. **EDITORIAL POLICY:** Defense News is edited for members of the Washington Defense Trial Lawyers. Publishing and editorial decisions are based on the editors' judgment of the quality of the writing, the timeliness of the article, and the potential interest to Defense News readers. The views expressed in the Defense News are those of the authors and may not reflect the official policy or position of WDTL or Defense News. **SUBMISSIONS:** All submissions must be typewritten, double-spaced (including citations). Include with the article an electronic format – either by email or disk. Articles may be submitted to kristin@wdtl.org or glingg@forsberg-umlauf.com. **ADVERTISING:** All advertising inquiries should be directed to: Kristin Baldwin, 800 5th Ave., Suite 4141, Seattle, WA 98104, (206) 749-0319 or e-mail: kristin@wdtl.org

Defense News does not screen its advertisers/advertisements and does not vouch for the quality of the services offered for sale herein.

MDE Inc.

Forensic Engineering Fire and Explosion Experts
Fire Origin & Cause Accident Reconstruction
Construction Defects Automotive Forensics
Industrial Hygiene Forensic Laboratories

Serving the Legal and Insurance Communities Since 1982
206.622.2007 www.mde.com

MEDRECS INC.

RECORD EXPEDITORS
NATIONWIDE SERVICE

Since 1979, MedreCS, Inc. is the leading solution for all record retrieval, document scanning, and document management needs.

Visit our website today to access the fastest online records retrieval service in the industry!

Simple. Secure. Streamlined. Solutions at your fingertips!
(888) 227-8845 x:273

www.medreCS.com

kylea@medreCS.com

Do You Know What Your Jury Is Thinking?

TSONGAS LITIGATION CONSULTING INC.
STRATEGIC PARTNERS IN TRIAL PREPARATION

SEATTLE
(206) 382-2121

www.tsongas.com

PORTLAND
(503) 225-0321



**45 Investigators
Licensed in 15 States**

**800.711.0704 • WWW.CASE4N6.COM
Seattle 425.775.5550**

- Personal Injury
- Accident Investigation
- Materials & Chemical Analysis
- Metallurgy & Corrosion
- Inland Marine: Equipment, Marinas, Piers & Terminals
- Fires & Explosions
- Fire Protection Engineering
- Structural Evaluations
- Product Failure Analysis
- HVAC / Plumbing / Electrical
- Commercial Hull & Yacht Damage



**SEATTLE • PORTLAND • DENVER
Anchorage • Honolulu • Las Vegas • Salt Lake City • Tacoma • Spokane**

WDTL STAFF

Member Services

David Penrose

4141 Agate Road

Bellingham WA 98226-8745

Phone: (206) 529-4128

Fax: (206) 202-3776

Email: service@wdtl.org

Accounting

Jackie Mintz

PO Box 27644

Seattle WA 98125-2644

Phone: (206) 522-6496

Email: accounting@wdtl.org

Executive Director

Kristin Baldwin

800 Fifth Ave., Suite 4141

Seattle WA 98104

Phone: (206) 749-0319

Fax: (206) 260-2798

Email: kristin@wdtl.org

Law Firms Have Relied On Us For Over 30 Years

Naegeli REPORTING CORPORATION

Court Reporting

Videography

Trial Presentation

Videoconferencing

Language Interpreters

Copying and Scanning

Selected "Best Court Reporting Firm"

(800) 528-3335

Serving all of Washington, Oregon, Idaho and the Nation

Seattle
(206) 622-3376

Tacoma
(253) 565-4400

Spokane
(509) 838-6000

Coeur d'Alene
(208) 667-1163

Boise
(208) 334-7000

Portland
(503) 227-1544

Bend
(541) 385-8300

Medford
(541) 776-7500

Schedule@NaegeliReporting.com

www.NaegeliReporting.com

Supreme Court: Express Findings Required on Witness Exclusion

By Erin H. Hammond

In *Blair v. TA-Seattle East No. 176*, ___ Wn.2d ___, No. 83715-5 (April 21, 2011), Washington's Supreme Court reemphasized that trial judges must consider *Burnet*¹ factors on the record when witnesses are excluded as a discovery sanction. The Court held that failure to do so is an abuse of discretion warranting reversal.

Blair was a slip and fall case filed in King County. Plaintiff missed both the primary and additional witness disclosure deadlines. She eventually did file a witness disclosure, but it did not comply with Local Rule 26 in all respects.

The defendant moved to strike Blair's witness disclosure as untimely. Plaintiff's attorney stated that personnel problems in his office led to the delayed disclosure, and Blair argued that the violation was not willful or prejudicial. The trial court granted defendant's motion to strike in part, and denied it in part. Blair was allowed to select seven of her 14 witnesses to call at trial, and terms of \$75 were imposed. The order was a standard order that did not include findings.

At the exchange of witness and exhibit lists, Blair listed a number of witnesses she wished to call at trial in addition to the seven she had been allowed by the trial court; these included two health care providers. Defendant moved to exclude the two health care providers. The motion was granted, with \$500 in sanctions imposed for Blair's violation of the court's previous order.

Defendant moved for summary judgment: without health care provider witnesses, Blair could not prove causation and therefore her claim failed. Summary judgment was granted. The case was dismissed.

The Court of Appeals affirmed the trial court. The Supreme Court reversed,

noting that when discovery sanctions are warranted, the sanction selected should not be so minimal as to undermine the purpose of discovery, but at the same time, it should be the least severe sanction that will serve the intended purpose. *Blair*, ___ Wn.2d at ___ (quoting *Burnet*, 131 Wn.2d at 495-96). Moreover, though the trial court generally has broad discretion to fashion an appropriate remedy:

"[W]hen imposing a severe sanction such as witness exclusion, the record must show three things – the trial court's consideration of a lesser sanction, the willfulness of the violation, and substantial prejudice arising from it."

Id. (quoting *Mayer v. Sto Indus., Inc.*, 156 Wn.2d 677, 688 (2006) (relying on *Burnet*, 131 Wn.2d at 494) (internal quotations omitted)).²

The Supreme Court found that nothing in the record and neither of the *Blair* trial court's orders striking witnesses contained any findings as to willfulness, prejudice, or consideration of lesser sanctions. On that basis, the Supreme Court held that the trial court had abused its discretion in excluding the witnesses.


In so holding, the Supreme Court rejected defendant's arguments that the record spoke for itself. Defendant had contended that when the trial court only excluded seven, rather than all 14 of plaintiff's wit-

Continued on Page 7

Exam Works

Local. National. Reliable.

Independent Medical Evaluations Servicing the Workers' Compensation, No-Fault, Liability and Disability Industries



WASHINGTON CLINIC LOCATIONS:

Aberdeen • Bellevue • Bellingham • Bremerton • Everett • Longview
Mt. Vernon • Olympia • Puyallup • Renton • Seattle • Spokane • Tacoma
Tri-Cities • Tukwila • Tumwater • Vancouver • Wenatchee • Yakima

**To Schedule: 253.572.4288
or 888.455.5306**

www.examworks.com

Persuasion From Page 1

Next, *social proof* is the idea that we tend to follow the lead of others. Years of research shows that people conform quite easily. For example, if you are walking down the street and see one person staring up at a skyscraper, you are likely to do the same. If there are multiple people staring up, you are all but guaranteed to follow their lead. Baristas at local coffee shops are known to put their own money in tip jars to start the day, since customers who see evidence of other tips will feel obligated to follow suit and toss their own change in the jar.

Social proof is most clearly seen during jury deliberations, but this is not entirely out of an attorney's control. Knowing that undecided jurors are likely to side with the majority means that the more jurors an attorney can convince before deliberations, the more likely they are to win the case. In fact, research has shown that final verdicts follow the initial majority more than 85% of the time.

Another principle of persuasion is *authority*. People tend to obey authority figures, even when asked to do unreasonable acts. Psychologist Stanley Milgram famously showed that people actually administered "shocks" to another person at dangerous voltages simply because a man in a white lab coat told them to.

Attorneys are generally viewed as authoritative in the courtroom, so incorporating this principle should come naturally. Attorneys can polish their authoritative image by speaking clearly, concisely, and directly in the courtroom. Also, attorneys should be mindful of how jurors will view other figures in the courtroom, such as expert witnesses. Attorneys should spend time prepping their experts to ensure that their authority on the subject matter is clear.

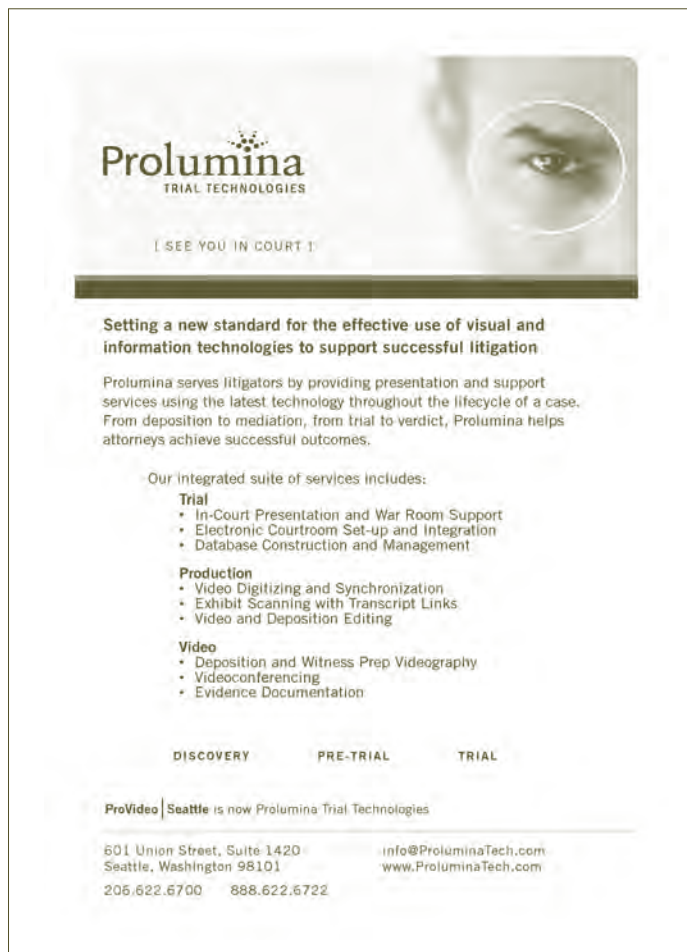
The fifth principle is *liking*. People we like have more persuasive power over us than people we dislike. Accordingly, we are more likely to do favors for friends than strangers. A variety of factors may influence how much we like someone upon first meeting them. Two such well-researched factors are attractiveness and similarity: we are drawn to people we find attractive and to people we perceive as similar to us.

There are several ways an attorney can increase his or her likeability in court. Some mannerisms that make people more likeable are the ability to maintain eye contact, a humble disposition, and using informal speech. Although an attorney has minimal control over whether the jury likes you or your client based on attractiveness

(dressing well certainly helps!), attorneys can control how similar they and their clients are to the jury. Selecting jurors who are similar to the attorney and/or the client (on any number of dimensions, including age, sex, race, etc) is generally a good rule to follow. Similarity will make the juror more inclined to like the attorney and client, thereby making the message more persuasive.

Finally, *scarcity* is our inclination to want what we cannot have, or what we think is in demand. Marketers regularly use this principle, notably when they advertise "limited time" offers. Similarly, cigar smokers in the United States pine for Cuban cigars. Are Cuban cigars superior to those from, say, Nicaragua or the Dominican Republic? Many cigar aficionados would

Continued on Page 6



Prolumina
TRIAL TECHNOLOGIES

I SEE YOU IN COURT

Setting a new standard for the effective use of visual and information technologies to support successful litigation.

Prolumina serves litigators by providing presentation and support services using the latest technology throughout the lifecycle of a case. From deposition to mediation, from trial to verdict, Prolumina helps attorneys achieve successful outcomes.

Our integrated suite of services includes:

- Trial**
 - In-Court Presentation and War Room Support
 - Electronic Courtroom Set-up and Integration
 - Database Construction and Management
- Production**
 - Video Digitizing and Synchronization
 - Exhibit Scanning with Transcript Links
 - Video and Deposition Editing
- Video**
 - Deposition and Witness Prep Videography
 - Videoconferencing
 - Evidence Documentation

DISCOVERY PRE-TRIAL TRIAL

ProVideo | Seattle is now Prolumina Trial Technologies

601 Union Street, Suite 1420
Seattle, Washington 98101
206.622.6700 888.622.6722

info@ProluminaTech.com
www.ProluminaTech.com

Persuasion *From Page 5*

argue that non-Cuban cigars are just as good, if not better. But Cuban cigars are scarce due to embargos, and therefore in great demand.

The application of this last principle in court is less obvious, but should be considered nevertheless. Research shows that withholding or censoring information makes people want that knowledge even more and causes them to hold it in higher regard when it becomes available. Attorneys should consider the ramifications of this principle when objecting to information in court. Legal psychologists consistently find that jurors not only disregard instructions to ignore certain information, but that this "ignored information" actually has a greater impact on verdicts!

These six principles undoubtedly have many more applications for you than those listed here. Attorneys should consider the psychology of persuasion when at trial and work on applying some or all of these principles. They may be amazed at how much better they are at selling their product.

Jonathan M. Lytle, Ph.D. is a trial consultant at Prolumina Headquarters in Seattle, Washington. He can be reached at (206) 622-6700, jlytle@prolumina.net or www.Prolumina.net



Work Done Now!™

We're here when you need us, just a phone call or email away!

Virtual Independent Paralegals, LLC

Locally Owned, Nationally Known, Virtually Everywhere!

Highest quality 24/7/365 litigation support specializing in:

- ✓ Medical Record Summaries
- ✓ Deposition Digests
- ✓ Transcription (*Court Certified*)
- ✓ Document Review
- ✓ Redaction Projects

Visit
VIP HELP ME.COM
for Work Done Now™

Columbia Center
701 Fifth Ave., Ste. 4200
Seattle, WA 98104

www.viphelpme.com
info@viphelpme.com
206.842.4613

Over 25 Years of Service:

Independent Medical
Evaluations
▪
Record Reviews
▪
Online Claims Tools

Clinic Locations in:
Oregon
Washington
Alaska

Extensive Provider Network

800.331.6622
www.omacime.com

O·M·A·C
OBJECTIVE MEDICAL ASSESSMENTS

MES
SOLUTIONS®
SINCE 1978

Independent Medical
Evaluations and Record Reviews
Experienced and Respected Providers
in All Specialties

Customized Services to meet
the unique needs of the legal community

Appointment & Travel Coordination

Deposition and Trial Scheduling

3rd Party Billing to Claims Offices

SERVING AK, ID, OR, WA

32001 32ND AVENUE SOUTH, SUITE 340
FEDERAL WAY, WA 98001

9221 S.W. BARBUR, SUITE 305
PORTLAND, OR 97219

866-253-6959

877-709-8069

Providing Service Nationally

www.messolutions.com

Supreme Court *From Page 4*

nesses, the court clearly considered lesser sanctions. It argued that the second order showed a pattern of what must have been deliberate (and therefore willful) violation of discovery obligations. It also asserted obvious prejudice in allowing a disclosure of key health care witnesses at the witness and exhibit list stage of a case. The Supreme Court did not see it that way, and instructed that each order must be independently supported at the time of entry, not in hindsight by reference to additional orders.

The Supreme Court also elected not to follow *Scott v. Grader*, 105 Wn. App. 136 (2001). In *Scott*, the Court of Appeals determined that the trial court did not need to engage in a *Burnet* factor analysis when a harsh sanction is imposed as punishment for violation of an earlier discovery order. The Supreme Court expressly refrained from stating whether it considered that an accurate statement of the law or not. Instead, it distinguished *Blair*, stating that, in *Scott*, there had been consideration of a range of sanctions before the sanction order was entered, and there was no similar consideration in *Blair*.

Because the summary judgment was premised on the exclusion of Blair's witnesses and the exclusion order was faulty, the Supreme Court reversed the summary judgment as well.

Justice Stephens wrote for the Court. The holding was unanimous, but Justice James Johnson wrote separately to emphasize that the trial court's ability to control the docket is not limited by *Blair*, and that the "burden of effectively overseeing the efficient administration of justice in Washington's courts rests heavily on the shoulders of trial court judges."

Erin H. Hammond is an experienced defense attorney and member of WDTL's Board of Trustees. She can be reached at erin@ehammondllaw.com.

1 *Burnet v. Spokane Ambulance*, 131 Wn.2d 484 (1997).

2 These are commonly known as the "Burnet factors."



Tel: 206-285-6322 Fax: 800-238-7307
www.tscan.biz

- Fastest Turnaround Time
- Most Knowledgeable and Trained Account Specialists
- Only Full-Service Litigation Support Company in the Pacific Northwest

206-285-6322

•Record Retrieval • On-Site Scanning•
•X-Ray Duplication • Copying & Scanning • Microfiche•
•Back-File Conversions • Full Service Litigation Productions•
•Electronic Evidence Discovery • Oversize Service•
•Court Reporting•



Madsen, Kneppers & Associates, Inc.
Construction Consultants & Engineers

FORENSIC ARCHITECTURE & ENGINEERING:

- Construction Defect Analysis
- Roof Consulting
- Infrared Thermal Imaging
- Estimating

CONSTRUCTION CONTRACT DISPUTES:

- Surety Bond Claims
- Project Scheduling & Schedule Delay Analysis
- Construction Cost Estimating
- Data Management & Document Control

Defects: Don Schellberg, AIA
[T] 206.267.2927 [F] 206.267.2906



Atlanta
Chicago
Dallas
Denver
Ft. Lauderdale
Las Vegas
Los Angeles
New Orleans
Pensacola
Phoenix
Princeton
Sacramento
San Diego
San Francisco
Seattle

mkaseattle@mkainc.com
www.mkainc.com
800.822.6624

Judges are Just Plain Different



By Jeffrey Frank

As lawyers we know judges are different from legislators, but does our electorate understand why that is the case? Do our legislators understand the critical differences, and perhaps more importantly, do they care? Those are a couple of the questions addressed in a report recently released by DRI entitled “Without Fear or Favor in 2011, A New Decade of Challenges to Judicial Independence and Accountability.” I was chair of DRI’s Judicial Task Force when the report was first conceived, and through several of the initial drafts. As we neared completion of the report I had the pleasure of working with the current chair of the Task Force, Steve Puiszis (a very talented defense lawyer from Chicago), who acted as our editor in chief. To suggest that Steve and I learned a lot about our courts and the challenges they face would be a gross understatement. Perhaps the best way to summarize the lessons we learned is by quoting from a very recent oral argument in front of the U.S. Supreme Court in a case involving First Amendment challenges to anti-corruption laws. In response to a question from Justice Scalia about whether a judge could behave like legislators, who don’t have to worry about the appearance of impropriety when they vote, one of the lawyers of responded simply— “No, Judges are just plain different from legislators.”¹

Those differences are addressed throughout the DRI report, particularly as they relate to recent judicial disqualification following the Caperton decision and judicial campaign finance issues following Citizens United. The report also addresses the need to improve accountability through judicial performance evaluations, judicial diversity, a comparison of diversity under election and appointment systems, the recession’s impact on state courts, court security, as well as politicized judicial appointments and judicial salaries in the federal court system.

Continued on Next Page

INDEPENDENT MEDICAL EVALUATIONS & CHART REVIEWS



The MACHAON team makes your job easier:

Scheduling of IMEs when you need them.

Communication with the patient or their legal representative to arrange a convenient date and time, decreasing the occurrence of no shows

Recruiting the appropriate Physician specialties for your exams.

Quality Assurance of reports to make sure all your questions are answered.

We will, at your request, arrange Transportation, Interpreters, and Diagnostic tests.

“A CLASSIC RETURN TO SERVICE”

MACHAON.org ~ MACHAON Medical Evaluations, Inc.

206-323-1999 ~ Toll Free 1-888-303-6224 ~ Fax 206-323-1188

Different From Page 8

The report does not endorse any particular judicial selection method, but recognizes that whatever method a state has chosen to select its judges, there are ways that any selection method can be improved. The report also recommends that state courts that elect their judges adopt a rule requiring the automatic disqualification of any judge who receives a campaign contribution above a specific threshold from a party or attorney. Additionally, the report recommends that an independent panel of judges be established to hear and decide Caperton disqualification motions and outlines procedures to consider in addressing those motions. The report also recommends that other types of recusal motions be heard by an independent judge rather than the judge targeted by a recusal motion.

DRI is sending its report to every State Supreme Court Judge in the country and to every state and local defense organization affiliated with DRI (and there are over 50 in the U.S.). The report will also be sent to the Conference of Chief Justices, the National Center for State Courts, and organizations (such as JAS) dedicated to judicial independence. Here is a link to the report: <http://www.dri.org/pages/without-fear-or-favor-2011.aspx>

More than simply addressing these issues and making recommendations, the report is intended as a rallying cry to members of the organized defense bar to become familiar with these issues and to get actively involved in them at the state level. Defense lawyers are in ideal position to protect our system of justice, but will we take the necessary steps to protect the system's integrity?

Continued on Page 11



“Representing Quality Physicians in the IME Industry”

Our Mission

Physician Direct Services delivers strong support to our clients. We are Physician driven and client focused, working directly with Physicians to deliver complete and professional medical opinions.

Our Vision

To provide outstanding service while connecting the most qualified Physicians to clients large and small.

~ Providing services in Washington and Oregon ~

Corporate office:

2411 Pacific Ave. SE
Olympia, Washington 98502
pds@physiciandirectservices.com

Oregon office:

1225 NW Murray Rd. #110
Portland, Oregon 97229
pdsor@physiciandirectservices.com



Northwest Medical Experts

Anticipating Needs, Exceeding Expectations

One Union Square Bldg.
600 University Street, Suite 2325
Seattle, WA 98101
(206) 926-3756
scheduling@nwmedicalexperts.com
www.nwmedicalexperts.com

Don't Be This Lawyer: Order on Motion to Continue

"He who is his own lawyer has a fool for a client" is one of every lawyer's favorite proverbs. Among the several reasons why this is undoubtedly true, is that lawyers are trained to handle disputes skillfully but without the emotional rancor that will mask the actual parties' reason and good sense.¹ Regrettably, many attorneys lose sight of their role as professionals, and personalize the dispute; converting the parties' disagreement into a lawyers' spat. This is unfortunate, and unprofessional, but sadly not uncommon. Before the Court, however, is an uncommon example of this unhappy trend.

This matter is currently set for trial commencing June 14, 2011. Defendants seek a brief continuance, noting that one of their counsel, Bryan Erman, along with his wife, is expecting their first child due on July 3. Given the proposed length of trial and the famous disregard that newborns (especially first-borns) have for such schedules, and given that the trial is scheduled in Kansas City while the new Erman's arrival is scheduled in Dallas, Defendants move this Court for a continuance.

This in itself would not be remarkable, but in reviewing the motion the Court was more than somewhat surprised to read that "Plaintiffs have refused to agree to continue the trial setting and have indicated that they intend to oppose this Motion." Well, every party is entitled to file an opposition to a motion, and hoping that perhaps Defendants' had mischaracterized the vigor of Plaintiffs' opposition, we have eagerly awaited Plaintiffs defense of its opposition. The Memorandum in Opposition arrived yesterday, and it was, sadly, as advertised.

First, Plaintiffs make a lengthy and spirited argument about when Defendants should have known this would happen, even

citing a pretrial conference occurring in early November as a time when Mr. Erman "most certainly" would have known of the due date of his child, and even more astonishingly arguing that "utilizing simple math, the due date for Mr. Erman's child's birth would have been known on approximately Oct. 3, or shortly thereafter." For reasons of good taste which should be (though, apparently, are not) too obvious to explain, the Court declines to accept Plaintiffs' invitation to speculate on the time of conception of the Ermans' child.

Further, Plaintiffs assert that there are currently five attorneys from two different firms on Defendants' signature block. While the Court might be inclined to agree with Plaintiffs that this seems like a plethora of attorneys, it can't help but note that, entered and active on behalf of Plaintiffs in this case, are also five attorneys, from three different firms; so perhaps Plaintiffs are ill equipped to argue that Defendants have too many attorneys.

Finally, Plaintiffs argue that surely Mr. Erman will have sufficient time to make it from the Kansas City trial to the Dallas birth, even helpfully pointing out the number of daily, non-stop flights between the two cities; and in any event complain of the inconvenience of this late requested continuance. Certainly this judge is convinced of the importance of federal court, but he has always tried not to confuse what he does with who he is, nor to distort the priorities of his day job with his life's role. Counsel are encouraged to order their priorities similarly.

Defendants' Motion is **GRANTED**. The Ermans are **CONGRATULATED**.

IT IS SO ORDERED.

~ Judge Eric F. Melgren writing in Jayhawk Capital Management, LLC v. LSB Indus., Inc., No. 08-2561-EFM (D. Kan. April 12, 2011).

Exponent®

Our team of scientists, engineers, medical professionals and business consultants provides expertise in more than 70 disciplines to support technically challenging litigation cases.

Over the past 35 years, we have provided science-based investigations for litigation involving product liability, environmental/toxic tort issues, construction disputes, intellectual property, personal injury and more . . .

- Accident Reconstruction
- Biomechanics and Injury Assessment
- Civil and Structural Engineering
- Construction Consulting
- Data Analysis
- Electrical/Electronics
- Environmental/Toxic Tort
- Fires and Explosions
- Food and Chemicals
- Health and Epidemiology
- Materials Evaluation
- Mechanical Design Assessment
- Visual Communications/Demonstrative Evidence
- Warning and Label/Human Factors


(888) 656-EXPO
www.exponent.com info@exponent.com
Exponent is certified to ISO 9001



- Will we become advocates against unwarranted attacks on the judiciary or just hope that others will respond to the attacks?
- Will we support amendments to judicial codes requiring disqualification when campaign contributions in judicial elections exceed reasonable limits or we will ignore the issue of judicial campaign contributions until it directly involves a case we are handling?
- Will we advocate for the development of a process to promptly and fairly resolve judicial recusal or disqualification motions in our respective states, or allow the public's perception of our legal system's fairness to be shaped by allowing judges to rule on a motions seeking their own disqualification?
- Will we lobby for adequate funding of our court systems or simply take a vacations on those days when courthouses around the country can't afford to open their doors?
- Will we protect the right of an independent judiciary to make politically unpopular decisions or stand idly by when special interests seek their ouster?

In short, will we defend our court systems so the judicial branch can continue to independently uphold justice and protect the rule of law which is central to our democracy? I welcome comments or questions about the report, along with any suggestions for how WDTL can become more active in addressing these critical issues. Feel free to send me an email at fraje@foster.com

1 (http://www.supremecourt.gov/oral_arguments/argument_transcripts/10-568.pdf)



**McBRIDE CONSTRUCTION
RESOURCES, INCORPORATED**
MCBRICR0991Z

**Detail Estimates • Quantity Surveys •
Value Engineering • Cost Modeling •
Benefit Cost Analysis •
Investigation Support •
Expert Testimony •**

**206-283-7121
1-800-676-5053**

224 Nickerson Street, Seattle, WA 98109
www.mcbrideconstruction.com
Fax: 206-284-5670

Stronger Witnesses Sharper Themes Smarter Strategies



Witness Preparation • Jury Selection
Focus Groups/Mock Trials • Theme Development

Dodge Blount & Hunter, LLP
Litigation Consulting

1420 Fifth Ave., Ste. 2200 • Seattle, WA 98101 • 206-274-5300 • www.dbhjury.com

Brandt

Forensic Economics

William G. Brandt, CPA, ABV, CFF, MBA

Bill Brandt
Forensic Economist
P.O. Box 10187
Bainbridge Island, WA 98110

Phone: 206-949-0773
Fax: 206-201-3033
E-mail: bill645@u.washington.edu
www.brandtforensiceconomics.com



The 2nd Annual WDTL Speaker's Foundation Spelling Bee is a Success!



The Scheer & Zehnder Killah Bee supporters show their enthusiasm for their team.



The Scheer & Zehnder Killah Bees hard at work on the written portion of the spelling bee.



The Winning Dorsey & Whitney team display their trophy for the 2nd year in the row.



Judge Lukens tests the mettle of Judge Finkle (ret) - JDR team member.

Reed McClure Announces Three New Shareholders

SEATTLE, WA - Reed McClure is pleased to announce that three attorneys were promoted to Shareholder: Earle Bravo, Michael Budelsky, and Chris Nye.

Earle Q. Bravo practices in insurance defense, including construction defect, premises liability, motor vehicle accident, worksite injury and product liability claims. Mr. Bravo earned his J.D. from Seattle University Law School.

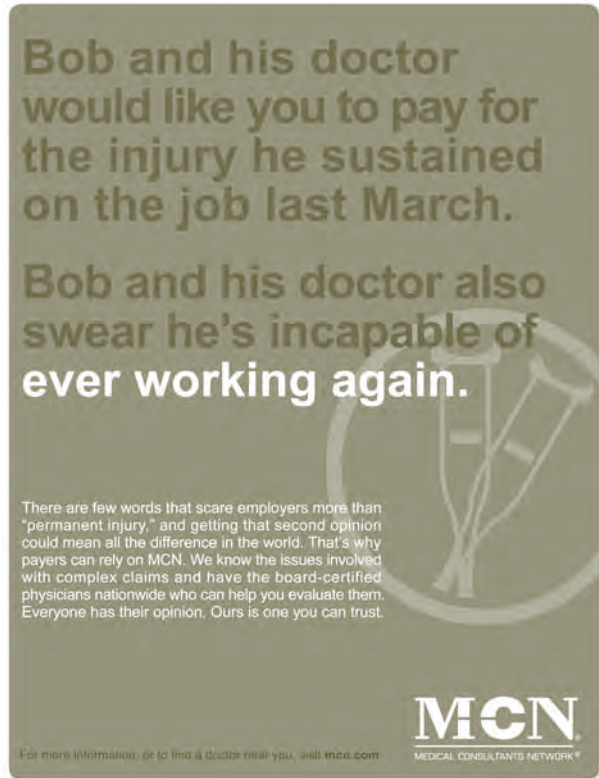
Michael N. Budelsky concentrates his practice on insurance defense, employment law, general civil litigation, and appellate work. Mr. Budelsky earned his J.D. from the University of Cincinnati College of Law.

Christopher J. Nye represents defendants in a variety of complex commercial litigation disputes, including construction defect, worksite injury, product liability and personal injury. Mr. Nye also represents insurance companies in litigating coverage disputes and bad faith cases, as well as providing coverage opinions and advice. Mr. Nye earned his J.D. from Willamette University College of Law.

We congratulate our new shareholders. Together we will continue Reed McClure's strong tradition and long history of providing the highest quality legal services to our clients.

Reed McClure, one of Seattle's oldest law firms, was founded in 1890. We provide litigation services including appellate, construction, employment, insurance, and premises, products, and professional liability. We offer our insurance clients extensive experience in coverage advice and defense of extra-contractual claims.

www.rmlaw.com



Bob and his doctor would like you to pay for the injury he sustained on the job last March.

Bob and his doctor also swear he's incapable of ever working again.

There are few words that scare employers more than "permanent injury," and getting that second opinion could mean all the difference in the world. That's why payers can rely on MCN. We know the issues involved with complex claims and have the board-certified physicians nationwide who can help you evaluate them. Everyone has their opinion. Ours is one you can trust.

For more information, go to find_a_doctor.rmlaw.com, www.mcn.com

MCN
MEDICAL CONSULTANTS NETWORK®



Global

**M
D&D**
MATSON, DRISCOLL & DAMICO

www.mdd.net

Business Interruption/Extra Expense
Business Valuations
Casualty General Liability (CGL)
Catastrophe Services
Environmental Claims
Fidelity Bond Claims
Fraud & Arson Examinations
Litigation Services/ADR
Products Liability & Recall
Property Damage Analysis
Stock and Contents Losses

FORENSIC & INVESTIGATIVE
ACCOUNTANTS

Patrick DeLangis
CPA, CFE, CFF, CFFA
pdelangis@mdd.net
425-415-6161

Qualified

Atlanta • Boston • Calgary • Charlotte • Chicago • Dallas
Detroit • Hartford • Houston • Kingston, ON • London, ON
London, England • Los Angeles • Miami • Minneapolis • Montreal
New York • Orlando • Parsippany • Philadelphia • Pittsburgh
Portland, ME • Portland, OR • St. Louis • San Francisco • Seattle
Singapore • Sydney • Toronto • Vancouver, BC • Washington, DC

OFFICERS

PRESIDENT

Emilia Sweeney
Carney Badley Spellman P.S.
701 5th Avenue, Suite 3600
Seattle, WA 98104
206.607.4187 voice
206.622.8983 fax
sweeney@carneylaw.com

PRESIDENT-ELECT

Matthew Wojcik
Mullin Law Group PLLC
101 Yesler Avenue, Suite 400
Seattle, WA 98104
206.957.7007 voice
206.957.7008 fax
mwojck@mullinlawgroup.com

SECRETARY

Michael Nicefaro
Office of the Attorney General
800 Fifth Avenue, Suite 2100
Seattle WA 98164
206.464.7352 voice
206.587.4229 fax
miken@atg.wa.gov

TREASURER

Ryan Beaudoin
Witherspoon, Kelley
1100 U.S. Bank Building
422 W Riverside Ave
Spokane WA 99201-0302
509.624.5265 voice
509.458.2728 fax
RMB@witherspoonkelley.com

TRUSTEES

Board Advisor

Jill Haavig Stone
Stone Novasky, LLC
One North Tacoma Ave. Suite 201
Tacoma, WA 98403
253.327.1042 voice
jill@snlawllc.com

DRI State Representative

Jill Haavig Stone
Stone Novasky, LLC
One North Tacoma Ave. Suite 201
Tacoma, WA 98403
253.327.1042 voice
jill@snlawllc.com

Membership

Melissa Habeck
Forsberg & Umlauf, P.S.
900 4th Ave, Suite 1700
Seattle WA 98164-1039
206.689.8500 voice
206.689.8501 fax
mhabeck@forsberg-umlauf.com

Programs Chair

Dirk Holt
Scheer & Zehnder L.L.P.
701 Pike Street, Suite 2200
Seattle, WA 98101
206.262.1200 voice
206.223.4065 fax
dholt@scheerlaw.com

Strategic Planning Chair

Linda Gallagher
King County Prosecutor's Office
900 Fourth Avenue, Suite 900
Seattle, WA 98104
206.296.8820 voice
206.296.8819 fax
linda.gallagher@kingcounty.gov

Trustee at Large

Lisa Marchese
Dorsey & Whitney
Suite 3400
1420 Fifth Avenue
Seattle, WA 98101
206.903.2379 voice
206.903.8820 fax
marchese.lisa@dorsey.com

Committee Coordinator

Edward Bruya
Keefe, Bowman & Bruya, P.S.
Ste 1102, W 601 Main Ave
Spokane WA 99201
509.624.8988 voice
509.623.1380 fax
ebruaya@kbbowman.com

Judicial Liaison Chair

Dan L. Johnson
Law Offices of Shahin Karim
520 Pike Street, Suite 1300
Seattle, WA 98101
206.405.1911 voice
206.405.1916 fax
dan.johnson@usaa.com

Past President

Jillian Barron
Sebris Busto James
14205 SE 36th Street, Suite 325
Bellevue WA 98006
425.454.4233 voice
425.453.9005 fax
jbarron@sebrisbusto.com

Publications Chair

Erin Hammond
PO Box 23251
Federal Way, WA 98093
253.237.0587 voice
erin@ehammondllaw.com

Trustee at Large

Michael Bolasina
Stafford Frey Cooper
Suite 3100
601 Union Street
Seattle, WA 98101
206.667.8228 voice
206.624.6885 fax
mbolasina@staffordfrey.com

Trustee at Large

Megan Murphy
Thorner, Kennedy & Gano P.S.
101 S. 12th Avenue
Yakima, WA 98902
509.575.1400 voice
509.453.6874 fax
mkm@tkglawfirm.com

Court Rules Chair

Michael Runyan
Lane Powell PC
1420 Fifth Avenue, Suite 4100
Seattle WA 98101-2338
206.223.7062 voice
206.223.7107 fax
runyanm@lanepowell.com

Legislative Chair

Lori O Toole
Preg, O'Donnell & Gillett, PLLC
Suite 1500
1800 9th Avenue
Seattle, WA 98101
206.287.1775 voice
206.287.9113 fax
lotoole@poglaw.com

Practice Development Chair

Maggie Sweeney
Preg, O'Donnell & Gillett, PLLC
Suite 1500
1800 9th Avenue
Seattle, WA 98101
206.287.1775 voice
206.287.9113 fax
msweeney@poglaw.com

Public Relations Chair

Jennifer Campbell
Schwabe, Williamson and Wyatt
1420 Fifth Avenue, Suite 3010
Seattle, WA 98101-2338
206.689.3052 voice
206.292.0460 fax
jcampbell@schwabe.com

Trustee at Large

Greg A.V. Clark
Foster Pepper PLLC
1111 Third Ave., Ste. 3400
Seattle, WA 98101-3299
206.447-3860 voice
206.749-2029 fax
gclark@foster.com

Trustee at Large

Brad Smith
Ewing Anderson PS
Suite 500
221 N Wall St
Spokane, WA 99201-0824
509.838.4261 voice
509.838.4906 fax
bsmith@ewinganderson.com

COMMITTEE CHAIRS

AMICUS

Stewart Estes
Keating, Bucklin, McCormack
800 Fifth Avenue, Suite 4141
Seattle WA 98101-2509
206.623.8861 voice
206.233.9423 fax
sestes@kblmlawyers.com

BOARD DEVELOPMENT

Matthew Wojcik
Mullin Law Group PLLC
315 Fifth Ave. S., Suite 1000
Seattle, WA 98104
206.957.7007 voice
206.957.7008 fax
mwojck@mullinlawgroup.com

COMMITTEE COORDINATOR

Edward Bruya
Keefe, Bowman & Bruya, P.S.
Ste 1102, W 601 Main Ave
Spokane WA 99201
509.624.8988 voice
509.623.1380 fax
ebruaya@kbbowman.com

JUDICIAL LIAISON

Dan Johnson
Law Offices of Shahin Karim
520 Pike Street, Suite 1300
Seattle WA 98101
206.405.1900 voice
206.689.8501 fax
dan.johnson@usaa.com

MEMBERSHIP

Melissa Habeck
Forsberg & Umlauf, P.S.
900 4th Ave, Suite 1700
Seattle WA 98104
206.346.3957 voice
206.689.8501 fax
mhabeck@forsberg-umlauf.com

PRACTICE DEVELOPMENT

Maggie Sweeney
Preg, O'Donnell & Gillett, PLLC
Suite 1500, 1800 9th Ave.
Seattle, WA 98101
206.287.1775 voice
206.287.9113 fax
msweeney@poglaw.com

PROGRAMS

Dirk Holt
Scheer & Zehnder L.L.P.
701 Pike Street, Suite 2200
Seattle, WA 98101
206.262.1200 voice
206.223.4065 fax
dholt@scheerlaw.com

PUBLIC RELATIONS

Jennifer Campbell
Schwabe, Williamson
and Wyatt
1420 Fifth Avenue, Suite 3010
Seattle WA 98101-2338
206.689.3052 voice
206.292.0460 fax
jcampbell@schwabe.com

TECHNOLOGY

John Schedler
Lee Smart P.S. Inc.
1800 One Convention Place
701 Pike Street
Seattle WA 98101-3929
206.626.0405 voice
206.624.5944 fax
jws@leesmart.com

BAR LIAISON

James Macpherson
Kopta & Macpherson
365 Ericksen Avenue,
Suite 325
Bainbridge Island WA 98110
206.780.4050 voice
206.780.3868 fax
jemacpherson@cs.com

CIVIC APPOINTMENTS

Stephanie Baldwin
Lee Smart, P.S.
701 Pike Street, Suite 1800
Seattle, WA 98101
206.624.7990 voice
206.624.5944 fax
sb@leesmart.com

COURT RULES

Michael Runyan
Lane Powell PC
1420 Fifth Avenue, Suite 4100
Seattle WA 98101-2338
206.223.7062 voice
206.223.7107 fax
runyanm@lanepowell.com

LEGISLATIVE COMMITTEE

Lori O'Toole
Preg, O'Donnell & Gillett, PLLC
Suite 1500, 1800 9th Ave.
Seattle, WA 98101
206.287.1775 voice
206.287.9113 fax
lotoole@poglaw.com

PAST PRESIDENTS

Rick Roberts
Law Offices of Sharon Bitton
200 W. Mercer, Suite 111
Seattle, WA 98119
206.288.1507 voice
206.286.1941 fax
richardroberts2@thehartford.com

PRO BONO/COMMUNITY SERVICE

Heather Carr
Stafford Frey Cooper PC
3100 Two Union Square
3100 Two Union Square
Seattle WA 98101
206.623.9900 voice
206.624.6885 04 fax
hcarr@staffordfrey.com

PUBLICATIONS

Erin Hammond
PO Box 23251
Federal Way, WA 98093
253.237.0587 voice
erin@ehammondllaw.com

STRATEGIC PLANNING

Linda Gallagher
King County
Prosecutor's Office
900 Fourth Avenue, Suite 900
Seattle, WA 98104
206.296.8820 voice
206.296.8819 fax
linda.gallagher@kingcounty.gov

SECTION CHAIRS

ASBESTOS/TOXIC TORTS

Daniel Ruttenberg
Perkins Coie LLP
1201 Third Avenue, Suite 4800
Seattle, WA 98101-3099
206.359.8000 voice
druttenberg@perkinscoie.com

CONSTRUCTION

Marianna Valasek-Clark
Jager Law Office PLLC
600 Stewart Street, Suite 1100
Seattle, WA 98101
206.441.9710 voice
206.441.9711 fax
marianna@jagerlaw.com

EMPLOYMENT/CORPORATE COUNSEL

Geoffrey M. Boodell
Forsberg & Umlauf, P.S.
Suite 1400, 901 5th Avenue
Seattle, WA 98164
206.689.8500 voice
206.689.8501 fax
gboodell@forsberg-umlauf.com

IN-HOUSE COUNSEL

Ray Schutts
Law Offices of Ray Schutts
22425 E Appleway Ave
Liberty Lake, WA 99019-9514
509.944.2175 voice
800.722.1025 fax
Raymond.Schutts@LibertyMutual.com

MARITIME

Katie Mattison
Lane Powell
1420 Fifth Avenue, Suite 4100
Seattle WA 98101
206.223.7000 voice
206.223.7107 fax
mattisonk@lanepowell.com

PROFESSIONAL LIABILITY

Tim Ashcraft
Williams Kastner & Gibbs
1301 A St #900
Tacoma WA 98402
253.593.5620 voice
253.593.5625 fax
tashcraft@wkg.com

WORKERS' COMPENSATION

Mary E. Levenson
Eims & Flynn, P.S.
216 First Avenue South, Suite 310
Seattle, WA 98104
206.521.4944 voice
206.521.4940 Fax
mlevenson@eims-flynn.com

COMMERCIAL LITIGATION

James Howard
Dorsey & Whitney LLP
U.S. Bank Centre
1420 Fifth Avenue, Suite 3400
Seattle, WA 98101-4010
206.903.2390 voice
206.903.8820 fax
howard.james@dorsey.com

CORPORATE COUNSEL

open

GOVERNMENT LIABILITY

Michael Bolasina
Stafford Frey Cooper PC
3100 Two Union Square,
601 Union Street
Seattle WA 98101
206.667.8228 voice
206.624.6885 fax
mbolasina@staffordfrey.com

INSURANCE

Irene Hecht
Keller Rohrbach LLP
1201 Third Avenue, Suite 3200
Seattle WA 98101-3052
206.623.1900 voice
206.623.3384 fax
ihecht@kellerrohrbach.com

PRODUCT LIABILITY

Lisa Marchese
Dorsey & Whitney LLP
U.S. Bank Centre
1420 Fifth Avenue, Suite 3400
Seattle, WA 98101-4010
206.903.2379 voice
206.903.8820 fax
marchese.lisa@dorsey.com

PROFESSIONAL LIABILITY

Gerrit Ayers
Burgess Fitzer, P.S.
1145 Broadway, Suite 400
Tacoma WA 98402
253.572.5324 voice
253.627.8928 fax
gerrita@burgessfitzer.com

REGIONAL REPRESENTATIVES

Central Washington
Megan Murphy
Thorner, Kennedy & Gano P.S.
101 S. 12th Avenue
Yakima, WA 98902
509.575.1400 voice
509.453.6874 fax
mkm@tkglawfirm.com

South Sound
Ema Viridi
Gierke, Curwen P.S.
2102 North Pearl Street
Seattle, WA 98104-2550
253.752.1600 voice
253.752.1666 fax
eviridi@cgdlaw.com

Southwest Washington
Jillian Hinman
Smith, Freed & Eberhard P.C.
111 SW Fifth Avenue,
Suite 4300
Portland, OR 97204
503.227.2424 voice
503.227.2535 fax
jhinman@smithfreed.com

Eastern Washington
Brad Smith
Ewing Anderson PS
Suite 500
221 N Wall St
Spokane, WA 99201-0824
509.838.4261 voice
509.838.4906 fax
bsmith@ewinganderson.com

North Sound
Open

ADMINISTRATION

Executive Director
Kristin Baldwin
800 Fifth Avenue, Suite 4141
Seattle, WA 98104
206.749.0319 voice
206.749.0321 fax
kristin@wdtl.org

WASHINGTON DEFENSE TRIAL LAWYERS

Application for Membership

1. The undersigned hereby makes application for membership with the Washington Defense Trial Lawyers, representing that a substantial portion of my practice is devoted to representing defendants, companies, or entities in civil litigation:

Name _____

Firm Name _____

Office Address _____

City _____ State _____ Zip _____

Home Address _____

Phone (_____) _____ WSBA Bar # _____

FAX (_____) _____

E-mail _____

2. Year of Admission to Bar _____ Legislative District _____

3. State degrees held, both academic and law, year of graduation and school:

4. If you were referred to WDTL by a fellow attorney, please list name here:

5. 2010-2011 Membership Dues

Attorneys	Admitted to the Bar more than 5 years	\$275.00
	Admitted to the Bar less than 5 years	\$225.00
Other	Government Attorney	\$135.00
	Retired Member	\$110.00
	Associate Member (Non-Attorney)	\$85.00
	Paralegal	\$50.00
	Law Student	\$10.00

6.a. YES! I would like to serve on the following WDTL Committees.

- | | |
|--|---|
| <input type="checkbox"/> Amicus | <input type="checkbox"/> Practice Development |
| <input type="checkbox"/> Community Serv/Pro Bono | <input type="checkbox"/> Programs |
| <input type="checkbox"/> Convention | <input type="checkbox"/> Publications |
| <input type="checkbox"/> Court Rules | <input type="checkbox"/> PR/Speakers' Bureau |
| <input type="checkbox"/> Judicial Liason | <input type="checkbox"/> Strategic Planning |
| <input type="checkbox"/> Legislative | <input type="checkbox"/> Technology |
| <input type="checkbox"/> Membership | |

6.b. YES! I would like to join the following sections

- | | |
|--|---|
| <input type="checkbox"/> Asbestos/Toxic Torts | <input type="checkbox"/> Insurance |
| <input type="checkbox"/> Construction | <input type="checkbox"/> Maritime |
| <input type="checkbox"/> Commercial Litigation | <input type="checkbox"/> Product Liability |
| <input type="checkbox"/> Employment | <input type="checkbox"/> Professional Liability |
| <input type="checkbox"/> Government Liability | <input type="checkbox"/> Workers' Compensation |
| <input type="checkbox"/> In-House Counsel | |

7. I would like to contribute \$150.00, \$100.00, \$50.00 (minimum \$20.00) to fund WDTL's legislative advocacy and outreach program.

I understand that pursuant to Public Law 103-66, this portion of my annual WDTL dues is not deductible from federal income taxes as a business expense

8. Dues \$_____ + Legislative Contribution \$_____ = TOTAL:\$_____

Please make check payable to: WASHINGTON DEFENSE TRIAL LAWYERS and mail to:

MEMBER SERVICES, 4141 AGATE ROAD, BELLINGHAM, WA 98226

Or fax with credit card information to (206) 202-3776

Payment: MC VC AmEx Expires: ____/____/____ # _____

Credit Card Authorization Signature _____

Questions? Contact Kristin Lewis, WDTL Executive Director at (206) 749-0319 or kristin@wdtl.org

9. Dated this _____ day of _____, 20 _____

10. Signature of Applicant: _____

WDTL Tentative Events Calendar for 2011-2012 (register online at www.wdtl.org)

July

21-24 Annual Convention – Fairmont Chateau, Whistler

October

1 CLE - Joint WDTL/WAIME Meeting
13 Judges' Reception, Seattle
18 CLE - Managing Partner's Breakfast – Seattle
26-30 DRI Annual Meeting – Washington, D.C.

November

4 CLE - Joint Idaho/Washington Seminar –
Coeur d'Alene, Idaho
9 CLE - Defense Superstars – Seattle

December

CLE - Asbestos Seminar
CLE - Ethics – Seattle – W
CLE - Annual Tort Law Update – Seattle – W

January

50th Anniversary Celebration – Seattle
South Sound Judicial Dinner – Courtyard
Marriot, Tacoma
CLE - Auto Crashes – Seattle

February

CLE - Annual Construction Law Update –
Convention Center – Seattle – W

March

CLE - Defense Academy I – Lee Smart – Seattle

April

Judicial Reception – Spokane
CLE - Insurance Law Update – Seattle – W
CLE - Managing Partner's Breakfast – Seattle

May

CLE - Products Liability – Seattle

July

Annual Convention – Skamania Resort,
Stevenson, Washington

(W – Simultaneous Webcast)